

the verdict. Perhaps most significantly, the judges ruled that mass rape is a crime against humanity, the most serious category of international crimes after genocide.

This is a landmark moment in the struggle for women's rights and in addressing issues of violence against women. For the first time, in the international justice system, sex crimes against women are being specifically identified and punished. In the past, UN war crimes tribunals ignored mass rape and sexual enslavement and considered these crimes to be a natural occurrence in war. Crimes against women like forced prostitution and rape that took place during WWII were never even prosecuted in the international tribunals that followed the war.

Violence against women is unacceptable. We, in the United States, need to recognize the importance of this decision, take it to heart, and make ending violence against women a priority here at home and abroad.

I want to recognize Presiding Judge Florence Mumba for her excellent work in pushing this trial to a just conclusion. It is a milestone decision for women all over the world.

I applaud this decision and hope that we, in Congress, will follow this global legal model and use all of our means and resolve to bring justice and security to the women of our nation and the world.

[From the Washington Post, Feb. 23, 2001]

WATERSHED RULING ON RAPE

SERBS FOUND GUILTY OF 'CRIME AGAINST HUMANITY'

(By Peter Finn)

BERLIN, Feb. 22.—Three Bosnian Serbs were found guilty today by a U.N. war crimes tribunal of the rape, torture and enslavement of Muslim women during the Bosnian war. It was the first time an international court ruled that rape is a "crime against humanity."

The three men were sentenced to between 12 and 28 years in prison for sex crimes committed near the town of Foca, southeast of Sarajevo, in 1992 and 1993, at the height of Bosnia's ethnic conflict. Human rights groups have estimated that tens of thousands of women, mostly Moslems, were raped during the war.

The judges found the three men's crimes to be part of a pattern of violent sexual abuse and intimidation condoned by the wartime Bosnian Serb leadership. "What the evidence shows is that the rapes were used by members of the Bosnian Serb armed forces as an instrument of terror," said Presiding Judge Florence Mumba as she sentenced the men at the International Criminal Tribunal for the former Yugoslavia at the Hague.

Today's decision was also significant for breaking old patterns by which international courts considered rape during war to be some lesser offense, if an offense at all. The decision "opens a whole new category" of war crime, said Eugene R. Fidell, of the National Institute of Military Justice, a nonprofit organization in Washington.

During World War II, the Japanese and German armies systematically enslaved thousands of women to serve as prostitutes for their soldiers. Dutch authorities tried Japanese officers who enslaved Dutch nationals, but the international war crimes tribunals that the allies created after the war did not treat the women's enslavement as a war crime, or crime of any kind.

Likewise, international courts have generally not treated as war crimes rape and other sexual violence that soldiers in combat zones commit of their own volition, assuming the soldiers were prosecuted at all.

In today's decision, Dragoljub Kunarac, 40, was sentenced to 28 years on 11 counts, including rape, torture and enslavement as crimes against humanity. Radomir Kovac, 39, was sentenced to 20 years on four counts. And Zoran Vukovic, 45, was sentenced to 12 years after the court dismissed most of the charges against him but convicted him on four counts.

The crimes occurred as Bosnia, formerly a republic of Yugoslavia, was the scene of war between its three main ethnic groups, Serbs, Muslims and Croats.

After Foca, a largely Muslim town, was overrun by Bosnian Serb forces, its mosques were burned and its civilian population rounded up and imprisoned in separate camps for males and females.

Sixteen rape victims and other witnesses testified at the eight-month trial that Serb paramilitary forces entered the women's detention centers and selected women and girls as young as 12 for nightly gang rapes and sexual torture. Many of the women were left with permanent gynecological and psychological damage.

In an impassioned and scathing judgment today, Mumba said, "Muslim women and girls, mothers and daughters together [were] were robbed of the last vestiges of human dignity."

"Women and girls [were] treated like chattels, pieces of property at the arbitrary disposal of the Serb occupation forces."

Lawyers for the convicted men had argued that the women were willing sexual partners.

As Kunarac stood before the three-judge panel, Mumba said, "You abused and ravaged Muslim women because of their ethnicity, and from among their number, you picked whomsoever you fancied on a given occasion." Kunarac briefly bowed his head as his sentence of 28 years was read.

"I remember he was very forceful. He wanted to hurt me," one witness testified about Kunarac during the trial. "But he could never hurt me as much as my soul was hurting me."

Sentencing Kovac, the court said that it was particularly appalled at his treatment of a 12-year-old-girl, who was identified only as A.B. None of the 16 victims who testified, or other victims, was identified, so as to shield them from further trauma.

A.B., the court said, was "a helpless little child for whom you showed absolutely no compassion whatsoever, but whom you abused sexually in the same way as the other girls. You finally sold her like an object in the knowledge that this would almost certainly mean further sexual assaults by other men."

The court noted that eight years later, A.B. has never been heard from.

Sentencing Vukovic to 12 years, the judges found that he raped a 15-year-old girl after threatening her mother with death if she did not tell him where her daughter was hiding. Mumba recalled case after case, summarizing the catalog of horror before she issued the prison terms.

In one instance, she noted, Kunarac "personally raped Witness FWS-183 and aided and abetted her rape by the two other soldiers by encouraging the other men while they were raping her. You further mocked the victim by telling the other soldiers to wait for their turn while you were raping her, by laughing at her while she was raped by the other soldiers, and finally by saying that she would carry Serb babies and that she would not know the father."

Noting that the three soldiers were not the masterminds of the war—Bosnia Serb leaders have been indicted but remain fugitives—the court said that "lawless opportunists should expect no mercy [from the court], no matter how low their position in the chain of command may be."

Foca now lies in the Serb zone of Bosnia and was renamed Srebrenice after the war. There are few Muslims in the town today.

Dirk Ryneveld, the lead prosecutor in the case, welcomed the verdicts and commended "the bravery of the victims who came forward to tell their stories."

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2001: CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. SENSENBRENNER. Mr. Speaker, on Thursday, March 1, 2001, the House is scheduled to consider H.R. 333, the "Bankruptcy Abuse Prevention and Consumer Protection Act of 2001." On February 15, 2001, the Committee on the Judiciary ordered reported favorably the bill H.R. 333 and the report thereon was filed on February 26, 2001. The Congressional Budget Office ("CBO") cost estimate, however, was not available for filing on February 26. Therefore, I hereby submit the CBO cost estimate for printing in the CONGRESSIONAL RECORD.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 27, 2001.

Hon. F. JAMES SENSENBRENNER, JR.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Lanette J. Walker (for federal costs), Erin Whitaker (for the revenue impact), Shelley Finlayson (for the state and local impact), and Paige Piper/Bach (for the private-sector impact).

Sincerely,
BARRY B. ANDERSEN
(for Dan L. Crippen, Director).

Enclosure

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE
H.R. 333—*Bankruptcy Abuse Prevention and Consumer Protection Act of 2001*

Summary: CBO estimates that implementing H.R. 333 would increase discretionary costs primarily to the U.S. Trustees by \$256 million over the 2002-2006 period. At the same time, the bill would slightly increase the fees charged for filing a bankruptcy case, and would change how some of these fees are currently recorded in the budget. We estimate that implementing the bill would increase the amount of bankruptcy fees that are treated as an offset to appropriations by \$279 million over the five-year period, resulting in a net decrease in discretionary spending of \$23 million over this period.

In addition, CBO estimates that enacting this bill would decrease governmental receipts (revenues) by \$260 million over the 2002-2006 period because bankruptcy fees that are currently recorded as revenues would be reclassified as offsetting collections and offsetting receipts. Finally, enactment of H.R. 333 would result in filling additional judge-ships, and we estimate that their mandatory pay and benefits would cost \$18 million over the next five years. Because the bill would